

### ***Remarks***

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-22 are pending in the application, with claims 1, 10, 13, 17, 18, 19, and 20 being the independent claims. Claims 1, 4, 5, 7-11, 13, and 16-21 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

### ***Allowable Subject Matter***

Applicants acknowledge with appreciation the Examiner's indication that claims 5-8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and that claim 9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, 2<sup>nd</sup> paragraph.

### ***Claim Objections***

In the Office Action, claims 5-9 were objected to because of informalities. Applicant has amended claims 7 and 9 as requested by the Examiner to improve their form. Reconsideration and withdrawal of the ground of rejection is therefore respectfully requested.

***Rejections under 35 U.S.C. §112***

Claim 9 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action states that "claim 9 recites the limitation 'said sending the stored internal packet step' in line 4" without sufficient antecedent basis. Applicants have amended claim 9 to change its dependency from claim 5 to claim 8. Applicants submit that the recited limitation in amended claim 9 has sufficient antecedent basis. Reconsideration and withdrawal of the ground of rejection is therefore respectfully requested.

***Rejections under 35 U.S.C. § 102***

In the Office Action, claims 1-4 and 10-18 were rejected under 35 U.S.C. §102(a) as being anticipated by Jimenez, et al, WO 01/52503 (Jimenez). Applicants respectfully traverse this rejection.

Jimenez does not teach or suggest all of the elements in Applicants' amended independent claims 1, 10, 13, 17, and 18. Jimenez describes an audio browser 120 for accessing the "web 128 and message servers 132 (e.g., for email messages with audio, fax, text, and other media attachments) via the World Wide Web 136 to retrieve web multi-media content and provide it to a telephone user in real time." (Jimenez, p. 8, line 23 - p. 9, line 1). In Jimenez, when a user selects a particular audio site, the audio web browser 120 connects to the web site directly via the Internet 136 or indirectly over a local area network (LAN) via a web cache 124 to obtain the audio content. (Jimenez, p. 9, lines 4 -9; FIG. 2). The audio content can then be stored in a buffer 150a within the

telephony interface module 150 of the audio browser 120 prior to transmission to the user. (Jimenez, p. 13, lines 3-6; FIGs. 3a and 3b).

Jimenez does not describe any switch functionality internal to the audio browser which can be used to set up a channel between a network interface and a media source. Furthermore, the media sources in Jimenez are external to the audio browser 120. Therefore, any connection between audio browser 120 and a media source must be established through components in an external network (e.g., LAN and/or Internet). Thus, Jimenez does not teach or suggest "establishing an internal channel between the network interface controller and the audio source through a cell switch internal to the media server, whereby the audio source can deliver web audio content corresponding to the web content identifier information to the communications device in the established call," as recited in amended claims 1 and 13. In addition, Jimenez does not teach or suggest establishing a first communications channel between a communications device and a media server having network interface controller and an audio source "wherein the first communications channel includes a first internal audio channel between the network interface controller and the audio source through a switch internal to the media server," as recited in amended claim 10, 17, and 18.

For at least these reasons, amended independent claims 1, 10, 13, 17, and 18 are patentable over Jimenez. Furthermore, for at least these reasons, and further in view of their own features, claims 3 and 4 which depend from claim 1, claims 11 and 12 which depend from claim 10, and claims 14-16 which depend from claim 13 are patentable over Jimenez. Reconsideration and withdrawal of this ground of rejection is therefore respectfully requested.

***Rejections under 35 U.S.C. § 103***

In the Office Action, claims 19-22 were rejected under 35 U.S.C. §103(a) as unpatentable over Jimenez in view of O'Neil, et al, U.S. Patent No. 6,404,745 (O'Neil). Applicants respectfully traverse this rejection.

The combination of Jimenez and O'Neil does not teach or suggest all the elements of amended independent claims 19 and 20. As discussed above, Jimenez does not describe any switch functionality internal to the audio browser which can be used to set up a channel between a network interface and a media source. Furthermore, the media sources in Jimenez are external to the audio browser 120. Therefore, any connection between audio browser 120 and a media source must be established through components in an external network (e.g., LAN and/or Internet). Therefore, Jimenez does not teach or suggest a media server having a network interface controller and a video stream processor "wherein said media server establishes a first communications channel between the media server and a communications device, wherein said first communications channel includes a first internal media channel between said network interface controller and said video stream processor through said switch," as recited in amended independent claim 19 and 20.

O'Neil does not overcome all of the deficiencies of Jimenez relative to amended claims 19 and 20, described above. Applicants therefore respectfully submit that the combination of Jimenez and O'Neil fails to teach or suggest all the features of amended independent claims 19 and 20. Furthermore, for at least these reasons, and further in view of their own features, claims 21 and 22 which depend from claim 20 are patentable over Jimenez. Reconsideration and withdrawal of the ground of rejection is therefore respectfully requested.

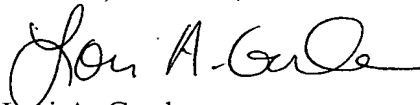
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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